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Attorneys for Plaintiffs LUMASCAPE USA, INC.,
 LUMASCAPE INDUSTRIES (PTY) LTD.,
 and MICHAEL AGUSTIN

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LUMASCAPE USA, INC., a California)	CASE NO. C 05 4809
corporation, LUMASCAPE INDUSTRIES)	
(PTY) LTD., an Australian Corporation, and)	
MICHAEL AGUSTIN, an individual,)	JOINT SUPPLEMENTAL CASE
)	MANAGEMENT STATEMENT
Plaintiffs,)	AND PROPOSED ORDER
)	
v.)	Date: January 18, 2007
)	Time : 11:00 a.m.
VERTEX LIGHTING, INC., a Quebec)	Courtroom: 9
corporation; FABRICE PELLEGRINO, an)	
individual; DANIEL MERCILLE, an)	
individual; and MICHEL SANSCARTIER, an)	
individual,)	
)	
Defendants)	

Pursuant to Civil L.R. 16-10(d), Plaintiffs LUMASCAPE USA, INC.,
 LUMASCAPE INDUSTRIES (PTY) LTD., and MICHAEL AGUSTIN ("plaintiffs")

1 and defendant VERTEX LIGHTING, INC ("defendant") certify that they have met and
2 conferred at least 10 days prior to the subsequent case management conference scheduled
3 in this case and jointly submit this Supplemental Case Management Statement.

4 SUBSEQUENT CASE DEVELOPMENTS

5 1. On March 29, the Court stayed this action, and set the matter for a Status Conference on
6 September 28, 2006, in order to permit the Court in Australia to decide (1) Whether it had, or would
7 entertain jurisdiction in Australia over Plaintiff's copyright and trademark claims, and whether the
8 Court in Australia could, or would, enforce any judgment in connection with said claims in Australia,
9 based upon the existence of a forum selection clause in the contract document between the parties;¹
10

11 2. On October 5, 2006, at the continued Case Management Conference, the Court continued
12 the matter to January 18, 2007, for a Further Case Management Conference, in order to clarify whether
13 the Court in Australia could, or would, entertain jurisdiction.

14 3. On December 14, 2006, the motion of Kastner/Banchero, LLP, to withdraw as attorneys
15 for defendant Vertex was heard by the Court, which ordered as follows: Fabrice Pellegrino, the
16 President of Defendant Vertex was ordered to appear on January 18, 2007 at the Further Case
17 Management Conference to show cause why Vertex had not paid its attorneys, Kastner/Banchero,
18 LLP, or, alternatively, to appear through new counsel.
19

20 4. On December 19, 2006, Vertex' counsel, E. Jeffrey Banchero, was advised that Vertex
21 was placed in bankruptcy under the Canadian Bankruptcy and Insolvency Act on December 8, 2006.
22

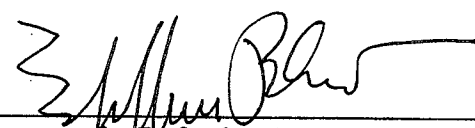
23 5. On January 5, 2007, Mr. Banchero filed Notice of the Bankruptcy Filing of Vertex with
24 this Court, which filing was copied to Plaintiff's counsel.

25
26
27 ¹ The Case Management Conference was continued to October 5, 2006 by Stipulation of the parties, and
by this Court's Order

6. Based upon the foregoing facts, the parties, through their respective counsel, respectfully request the Court to continue the Case Management Conference to an appropriate date, for further review and proceedings.

Dated: January 5, 2007

KASTNER | BANCHERO LLP
E. JEFFREY BANCHERO, Esq.
20 California Street, 7th Floor
San Francisco, CA 94111

By 
Attorneys for Defendant Vertex Lighting, Inc.

Dated: January 5, 2007

LAW OFFICES OF ERROL I. HORWITZ
EDWARD M. BIALACK, Esq.

By 
Attorneys for Plaintiffs Lumascape USA Inc., et.al.

SUPPLEMENTAL CASE MANAGEMENT ORDER

The Supplemental Case Management Statement and Proposed Order is hereby adopted by the Court as a Supplemental Case Management Order for the case. The Case Management Conference is continued to April 12, 2007, _____ for further review. Please file a case management conference statement at least seven days prior to said conference.

Dated: January 9, 2007.

Honorable  Alsup
United States District Court
Northern District of California

